

ALLEGED SHIPMENT: On or about October 9, 1946, by the Anderson Specialty Co. (Economy Drug Co.), from Anderson, S. C.

PRODUCT: 84 100-tablet packages of saccharin at Atlanta, Ga. Examination showed that the number of tablets in the packages varied from 77 to 101.

LABEL, IN PART: "1-4 Gr. Saccharin Tablets * * * Approximately 100 Packed By Economy Drug Co. Anderson, S. C."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. Further misbranding, Section 403 (j), the article purported to be, and was represented as, a food for special dietary uses by man by reason of the presence of saccharin, a constituent which is not utilized in normal metabolism; its label failed to bear such information concerning its dietary properties as necessary fully to inform purchasers as to its value for such uses; and its label failed to bear, as required by the regulations, the statement "Contains—saccharin (or saccharin salt, as the case may be), a nonnutritive artificial sweetener which should be used only by persons who must restrict their intake of ordinary sweets," the blank to be filled in with the percent by weight of saccharin or saccharin salt in such food.

DISPOSITION: February 21, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12784. Misbranding of Choc-O-Lac. U. S. v. 47 Cases * * *. (F. D. C. No. 20268. Sample No. 63413-H.)

LABEL FILED: June 17, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about May 15, 1946, by the Blumoon Food Products, Inc., from Brooklyn, N. Y.

PRODUCT: 47 cases, each containing 24 20-ounce jars, of Choc-O-Lac at Newark, N. J. Examination showed that the article consisted essentially of sugar, water, cocoa, and defatted milk solids.

LABEL, IN PART: "Blumas Choc-O-Lac Best-Yet The Health Builder Fortified with Vitamin B-1 666 International Units."

NATURE OF CHARGE: Misbranding, Section 403 (a), the name of the article, "Choc-O-Lac," was false and misleading as applied to the article, which did not contain chocolate; furthermore, the label statement, "Health Builder," was false and misleading, since the article was not a health builder. Further misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents in terms of measure, since the article was a liquid and the statement, "Contents 20 Ozs. Avd.," was inaccurate; Section 403 (f), the common or usual names of the ingredients of the article, required by law to appear on the label, were not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, and devices, on the label) as to render them likely to be read by the ordinary individual under customary conditions of purchase and use, since the names of the ingredients were printed at right angles to the main label panel in very small type; and, Section 403 (j), the article purported to be, and was represented as, a food for special dietary uses by man because of its vitamin B₁ content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirement for the vitamin supplied by the article when consumed in a specified quantity during a period of one day.

DISPOSITION: October 8, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable organizations.

12785. Adulteration of Moregg and Dr. Fenton's Vigortone No. 5½ (veterinary preparations). U. S. v. Dr. Fenton's Vigortone Co. Plea of guilty. Fine, \$400 and costs. (F. D. C. No. 14268. Sample Nos. 40640-F, 63187-F.)

INFORMATION FILED: August 22, 1945, Northern District of Iowa, against Dr. Fenton's Vigortone Co., a partnership, Cedar Rapids, Iowa.

ALLEGED SHIPMENT: On or about December 14, 1943, from the State of Iowa into the States of Illinois and Minnesota.

LABEL, IN PART: (Moregg) "Strontium Nitrate Lime (Ca. 19.5%) Phosphorus (P) 2.5%"; (Vigortone) "Strontium Nitrate."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents had been in whole or in part omitted or abstracted from the articles, since there was no strontium nitrate in either of the articles and since there was materially less than 19.5 percent of lime (Ca) and materially less than 2.5 percent of phosphorus (P) in the Moregg.

The information consisted of 3 counts, 2 charging violation under the provisions of the law applicable to foods, as reported herein. The remaining count involved another product, Wormine, and charged misbranding of that product under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2143.

DISPOSITION: November 6, 1946. A plea of guilty having been entered, the court imposed a fine of \$200 on each count, plus costs.

12786. Adulteration and misbranding of Farm Master Mineral Block. U. S. v. 28 * * *. (F. D. C. No. 21814. Sample No. 49989-H.)

LIBEL FILED: December 5, 1946, Northern District of Texas.

ALLEGED SHIPMENT: On or about August 14, 1946, by Sears, Roebuck & Co., from Kansas City, Mo.

PRODUCT: 28 mineral blocks for cattle at Dallas, Tex.

LABEL, IN PART: "Farm Master Mineral Block for Cattle and Hogs."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 15 percent calcium, 3.30 percent phosphorus, and 0.05 percent iodine had been substituted for a product containing not less than 15 percent calcium, 3.30 percent phosphorus, and 0.05 percent iodine.

Misbranding, Section 403 (a), the label statement, "Calcium (Ca), not less than 15.00% Phosphorus, not less than 3.30% Iodine, not less than 0.05%," was false and misleading.

DISPOSITION: January 22, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

MISCELLANEOUS FOODS

12787. Adulteration of Olive-Naise. U. S. v. 9 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 22306, 22489, 22490. Sample Nos. 63981-H, 64760-H, 66025-H.)

LIBELS FILED: February 8 and March 5, 1947, Northern District of New York and District of New Jersey.

ALLEGED SHIPMENT: Between the approximate dates of November 7 and 19, 1946, by Mrs. Schlörer's, Inc., from Philadelphia, Pa.

PRODUCT: Olive-Naise. 9 cases at Atlantic City, N. J.; and 132 cases at Oneonta, N. Y., and 8 cases at Syracuse, N. Y. Each case contained 24 ½-pint jars of the product.

LABEL, IN PART: "Mrs. Schlörer's Olive-Naise."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law, since it is a substance not required in the production of this article and could have been avoided by good manufacturing practice.

DISPOSITION: March 10 and 28, 1947. No claimant having appeared for any of the lots, judgments of condemnation were entered and the product was ordered destroyed.

12788. Adulteration and misbranding of lemon pie crust and filling and chocolate pie crust and filling. U. S. v. 9 Cases, etc. (F. D. C. No. 24296. Sample Nos. 10265-K, 10266-K.)

LIBEL FILED: January 6, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about October 23, 1947, by 6-O'clock Foods, Inc., from Norristown, Pa.

PRODUCT: 9 cases, each containing 24 packages, of lemon pie crust and filling and 12 cases, each containing 24 packages, of chocolate pie crust and filling, at Kingston, N. Y.

LABEL, IN PART: "7-Minit Complete Lemon Pie Crust and Filling Ingredients: Flour, shortening, corn starch, fruit acid, lemon oil, salt, baking powder and